

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 517 of 1975

M/s Niranjan Building Corporation .. Plaintiff

versus

Shantilal Rajpal Mehta & Anr. .. Defendants

...

Ms.Priti Mason i/b Bankim Desai & Co. for the
plaintiff.

Mr.K.D. Mehta i/b Payne & Co. for the defendant
nos.1 and 2.

CORAM : D.G. KARNIK, J

DATED : 30th June 2005.

P.C.

1. Learned counsel for the defendant nos. 1 and 2
states that the defendant nos. 1 and 2 have died
long ago and intimation of death has been given to
the plaintiff. Heirs of the defendant nos. 1 and

2 have not been brought on record. Suit against the defendant nos. 1 and 2 stands abated.

2. Learned counsel for the plaintiff states that the plaintiff does not wish to proceed with the suit and suit may be disposed of as withdrawn.

3. Suit of the plaintiff is dismissed for non prosecution. Issue court fee refund certificate as per rules.

D.G.KARNIK, J